



**STATE OF ALASKA**  
**Division of Elections**  
**Office of the Lieutenant Governor**

Statement regarding the Application for the Recall of REAA 18 School Board Members

By: Whitney Brewster, Director

Issued: August 3, 2007

I have certified the applications for recall of Chatham School District (REAA 18) school board members Edward Gamble, Sr., Irene Paul and Shelly Wilson, submitted by recall sponsors Roberta Hunter and Lillian Woodbury.

The recall of elected officials is provided for by Article XI, Section 8 of Alaska's Constitution with procedures for recall further defined by the Legislature in Title 29 and Title 15. There are no regulations governing recall procedures. Recall procedures for Regional Educational Attendance Area school board members are defined in Title 29.

There have been six instances involving the recall of elected officials in Alaska.

- In 1984, the Bering Strait School District sought declaratory and injunctive relief against the Director of Elections regarding a recall petition filed against certain school board members. (*Meiners v. Bering Strait School District*)
- Application for recall of Governor Walter Hickel and Lt. Governor Jack Coghill was filed with the Director of Elections in 1992. The Director of Elections certified the application despite legal counsel of insufficient grounds. This recall attempt was not completed.
- In 1995, a citizens' committee brought suit against the Haines Borough and Borough clerk challenging the clerk's denial of a recall petition of school board members. (*Stauffenberg v. The Committee for an Honest and Ethical School Board*)
- In 2004, a group successfully garnered enough signatures and stated grounds for recall sufficient to proceed with a recall effort of Senator Scott Ogan. However, Senator Ogan resigned his seat before ballots were printed and therefore, the recall effort did not go to voters in District H.
- In 2005, a group filed a petition for recall of Senator Ben Stevens. The Director of the Division of Elections did not certify the application because the grounds for recall were not sufficiently particular. The recall committee has appealed (after losing a Superior Court decision) to the Alaska Supreme Court on this recall.
- In 2005, a group filed a petition for the recall of several REAA school board members in the Alaska Gateway School District. The Director of Elections did not certify the petition application due to insufficient grounds.

I appreciate the careful, thorough legal analysis presented by the Department of Law. I find no argument with the conclusions of the Department's legal analysis and agree with the recommendation to strike language that is legally insufficient in the application for recall of Shelly Wilson. I have advised the petition sponsors of my decision to strike that language from the petition booklets.

The petition booklets will be printed and available for circulation by the committee by Tuesday, August 7, 2007.

As Director of the Division of Elections, the decision in recalls of elected officials falls to me. This is different than the decisions regarding initiatives or referendums where the Lieutenant Governor's decision is final. I understand the gravity of this decision and have taken my charge seriously.